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C O N F I D E N T I A L BUENOS AIRES 000375

SIPDIS

E.O. 12958: DECL: 03/31/2019

TAGS: PREL MARR MASS PGOV AR

SUBJECT: ARGENTINA: DEFENSE MINISTRY REQUESTS THAT U.S.
MILITARY GROUP VACATE OFFICES IN DEFENSE HEADQUARTERS IS
LEAKED TO PRESS

REF: A. CRAIG-FRIEDMAN/BURNETT EMAIL 3/27/2009

1B. WAYNE-MCMULLEN EMAIL 3/31/2009

1C. IIR 6 804 0221 09

Classified By: Ambassador Wayne for reasons 1.4 (b) and (d).

11. (SBU) Summary: Argentine daily finance and business paper "Ambito Financiero" released a relatively accurate story March 31 that the Ministry of Defense had requested the U.S. Military Group vacate its offices in the Argentine MOD headquarters, "Edificio Libertador," within 45 days. That request, sent to the head of the Embassy's Military Group March 20 in a letter from MOD Secretary for International Affairs Alfredo Forti, cited the Ministry's need for the office space; it did not directly address the GOA's continuing obligations to provide office space under our 1964 bilateral Defense Cooperation Agreement. As of March 30, prior to the leaked story, Embassy had prepared and cleared with Washington and Southcom a response to Minister of Defense Garre from the Ambassador declining to concur with the eviction and invoking the bilateral agreement's requirement that we negotiate a mutually agreed solution under the agreement. On March 31 we moved forward with that response, which offers talks on the issue at the next Defense Bilateral Working Group planned for May/June 2009, after adding a line regretting the press report.

12. (C) Prior to the leak, we had been in touch with the MFA (which is the Argentine signatory of the 1964 agreement) via Minister Taiana's Chief of Staff Alberto D'Alotto. DCM apprised him of the MOD request and gave our interpretation of Argentina's obligations on March 26. After the leak on March 31, Ambassador spoke with Argentina's Ambassador to the U.S. Hector Timerman (in London, preparing for President Kirchner's G20 participation). Timerman acknowledged both the seriousness of the move and the unfortunate timing given upcoming participation by both presidents in the G-20 Summit Meeting and the Summit of the Americas. He said he would communicate with Foreign Minister Taiana. On March 31, DCM again spoke with D'Alotto and also passed Embassy's non-paper on the issue to a member of Presidential Chief of Cabinet Sergio Massa's staff. End Summary.

Long Percolating Issue Bursts into Public View

13. (C) Military Group and Defense Attaché contacts in the Argentine Ministry of Defense and Armed Forces have for over nine months advised us privately that MOD Nilda Garre wanted the U.S. Military Group to vacate offices in the MOD headquarters, Edificio Libertador, as well as possibly the cooperation offices we utilize in the headquarters of the

Navy, Army and Air Force. Garre, said MOD officials, was concerned that the United States was perceived to have unequal access to GOA facilities and that the GOA would be unable to grant such office space to other government militaries should they request it. MOD advisors (protect) had also privately told us that Garre was deeply influenced by the statements of Ecuadorian President Correa and other GOE officials who claimed in 2008 they were not fully briefed on the extent of U.S. military and intelligence cooperation "and cohabitation" with their own officers. They said they thought she was concerned about the risk to her and the GOA of similar embarrassment if anyone were to question the special arrangement for housing U.S. military. In the March 20 letter from MOD Secretary for International Affairs Alfredo Forti to the leader of the Military Group in the Embassy, however, the only justification given was that the MOD needed the space for its own purposes (Note: The letter also asks that we vacate offices in the three service headquarters, which are not pressed for space. End Note.)

¶4. (SBU) In previous discussions and at a December 2008 Defense Bilateral Working Group, Military Group, DAO, and Embassy Officers have emphasized that:

-- the GOA-provided office space is an explicit obligation under the 1964 bilateral Defense Cooperation Agreement and is considered a counter-part contribution to facilitate the flow of U.S. military training, support and equipment;

-- no other governments provide training or support on this scale and so were unlikely to justify a similar claim to

space;

-- the USG had no immediate alternatives to house its Military Group offices; and

-- we were amenable to discussions at the next Defense Bilateral Working Group (tentatively scheduled for April/May 2009) that would seek to address the MOD's needs for space while sustaining our ability to provide important cooperation.

¶5. (SBU) We have also emphasized the broad range of education, training and other support we provide to the Argentine MOD and armed forces, including fuel, lodging, and transportation for Argentine participation in a variety of hemispheric and regional exercises, as well as support for an MOD priority, defense logistics reform. Overall, the core program is USD 2 million, with another USD 1-2 million in exercise-related support. Since 2004, we have provided USD 14 million in military assistance.

¶6. (C) At a dinner with Political Counselor and Pol-Mil Officer on March 19, Vice Defense Minister for Military Affairs German Montenegro (protect) and senior staff member Nicolas Dapena (protect) said that the Forti letter was imminent. They urged us not to view the request that MilGrp vacate as any sort of signal about the bilateral or military-to-military relationship, describing the requested eviction as the culmination of a single issue that had clear personal importance to the Minister. Political Counselor noted that the timing would nonetheless be problematic and that our understanding of the Defense Cooperation Agreement was that Argentina had certain obligations. (Note: Montenegro and Dapena acknowledged rumors that Garre might be called upon to run for Congress for the pro-Kirchner slate in June 28, 2009, mid-term elections, but said she could hold office through the campaign. End Note.)

Engaging the Government

¶7. (C) Following the receipt of Forti's letter, Embassy began immediate work on a response to send directly to Garre with a copy to the MFA, whom we suspect was not informed of the

MOD's decision to request a change to the 1964 agreement. By formally noting our lack of concurrence with the request to vacate, we intend to invoke the agreement and formal discussions it appears to require. DCM also spoke with MFA Chief of Staff Alberto D'Alotto to inform him of the issue and on March 26 shared with him a non-paper giving background on the issue.

¶8. (C) On March 31, following publication of the story, DCM shared Embassy non-paper on the issues with Jorge O'Reilly, a member of Chief of Cabinet Sergio Massa's staff, on the understanding he would forward it to Massa and other colleagues in the Casa Rosada. DCM also conferred by phone with MFA Cabinet Chief D'Alotto. Ambassador phoned Argentine Ambassador to the United States Hector Timerman, in London preparing for CFK's participation in the G20. Timerman said he understood the seriousness of the issue as well as the poor timing on the eve of President CFK's first encounter with President Obama. He promised to speak directly to Foreign Minister Taiana about the matter. Political Counselor shared our non-paper with the North America Desk at the MFA and with Vice Defense Minister Montenegro.

The Leak and Our Public Response

¶9. (SBU) On March 31, reporter Edgardo Aguilera reported in financial and economic newspaper "Ambito Financiero" that the Military Group had been given 45 days to vacate. Although it contained a few erroneous details, the report is largely accurate and appears to be based on MOD sources. As such, we have revised the Ambassador's letter to Garre to include regret that the issue has gone public. Aguilera writes that the GOA move is odd in the wake of the positive meeting in Chile between President Cristina Fernandez de Kirchner (CFK) and U.S. Vice President Biden. He notes that "there is a certain duality in the messages the government is sending to the Obama Administration." A local radio network has reported the story with a pro-U.S. angle as well, questioning the wisdom of restricting military-to-military cooperation.

¶10. (SBU) Aguilera's story goes on to speculate on whether the move presages a cut-off in military ties. Infobae, an Argentine wire service, picked up the story but added incorrectly that the Defense Cooperation Agreement dates from the "1970s." Because this might imply it was established under the military dictatorship (1977-1983), we have reached out to Infobae and had that fact corrected to reflect that the agreement dates from 1964, when Argentina was ruled by the democratically elected government headed by civilian president Arturo Illia. Embassy press guidance will avoid any discussion of the MOD request but will note on background that the U.S. presence stems from a bilateral agreement signed by the Embassy and the Foreign Ministry in 1964.

Letter of the Agreement

¶11. (SBU) In a non-paper provided to the MFA on March 26 and to the Chief of Cabinet's office on March 31, Embassy underscored that the bilateral agreement in Article II recognizes the need for personnel to implement cooperation and establishes that "such personnel shall be granted reasonable facilities and services, including office space, custodial services, and suitable motor transportation, necessary to enable them to perform their duties." Although we let go of the chauffeur-driven cars provided to our service representatives, we continue to fully utilize the office space at Edificio Libertador and at the three service headquarters. Our presence in the service headquarters in fact pre-dates the agreement by many years, including a continuous presence at navy headquarters since the early 1930s.

¶12. (SBU) Under Article III, the agreement says that "the two Governments will consult concerning any matter relating to an

amendment or change considered desirable in this agreement as a result of its application." Given this clause, our response to Garre notes that the Embassy cannot concur in the proposed change, offers to discuss the matter at the Defense Bilateral Working Group, and notes that we will share our views with the Ministry of Foreign Affairs (letter shared with WHA/BSC and PM per ref a).

Other Issues

¶13. (C) The eviction challenge coincides with two other high-profile issues in discussion with the MOD. First, on March 18, Secretary Forti convoked Military Group Commander to request information on participation in WHINSEC courses by members of the Gendarmerie (border patrol) and Prefectura (coast guard), services which fall under the authority of the Minister of Justice. Military Group Commander declined to offer this information on another branch of the Government of Argentina. The request appears to flow both from service rivalry and from Minister Garre's known hostility toward participation in WHINSEC.

¶14. (SBU) Second, and somewhat incongruously, the eviction coincides with Minister Garre's personal request for Military Group and Embassy facilitation of an expedited purchase of a helicopter for the presidency under the FMS program. Garre personally called the Ambassador on March 23 to discuss the transfer and to seek his assurances that we were doing everything possible to ensure rapid delivery. The official offer for this sale is being delivered to the MOD today, marking an extremely rapid response for this type of request.

Comment

¶15. (C) We tend to agree with the private assurances of MOD officials that there was no meaning to the timing of the eviction notice and that the step is not intended to start a more general downgrading of military-to-military relations. It appears to represent Garre pushing forward on an issue that has been a personal irritant to her for some time, perhaps even with the intention of resolving it to her liking before leaving office in the short-term. Nonetheless, reversing a U.S. presence dating back over seventy years and potentially complicating a healthy and mutually-beneficial military cooperation relationship is no small step, and we

are urging officials throughout the GOA to (re)consider it in that context. Moreover, with our lack of consent affirmed, the GOA appears to have no immediate basis for implementing its delineated 45-day timeline. We will press both the MOD and MFA strongly that absent bilateral talks under the agreement or an abrogation of the agreement (a step which requires a six month notice), our intention will be to remain in the GOA-provided offices.

Action Request

¶16. (C) Military cooperation has been a mainstay of our bilateral relationship, even during difficult periods under the Kirchners. We encourage Department to include this among priority issues for the Secretary to raise with Foreign Minister Taiana when they meet on April 7. Ideally, we would like the GOA to reverse this decision entirely and recognize the mutual advantages of the Military Group presence. At a minimum, Argentina needs to adhere to the 1964 Defense Cooperation Agreement and accept bilateral talks toward resolving the issue in a manner acceptable to both governments.

WAYNE